

(3) Remarks

Reconsideration and allowance of claims 1 to 4 and 13 to 16, drawn to a coating process, are respectfully requested.

Claims 5 to 12, which were withdrawn from consideration as being drawn to nonelected invention, election having been made with traverse, are now canceled.

The rejection of claims 1, 13 and 14, under 35 USC §112, first paragraph is respectfully traversed. Applicants point out that support for the questioned language appears in the last sentence of paragraph [0054] of the published application (paragraph [0037] in the application as filed), wherein it is stated:

The combination, with the base *color being partially screened and color modified* by the Step #2 coat, results in a final dry color that consistently and predictably reproduces the type of wood finish intended. [emphasis added]

The rejection of claim 1, 13 and 14, under 35 USC §112, second paragraph, are obviated by amendment and clarifying remarks.

First, the affected claims have been amended to add clarity because the phrase “partially screens and color modifies” is questioned as to meaning “in context”. The claims now clarify that it is – the pigmented graining coat – that does the screening and color modification. It is clear from the description as a whole and paragraphs [0053] to [0060] of the published application in particular, that the base coat is one color and the graining coat is another, and that the two colors together provide the final color of a selected wood. See, for example, the following description taken from paragraph [0060]:

The preferred compositions will contain pigment concentrations sufficient not only to alter the visible color of the base coat but also to provide a degree of ultraviolet light stability greater than cannot be achieved with the clear coating compositions of the prior art. The combined coatings of the invention provide a brilliance of

color initially and after weathering that can be attributed to the provision of an opaque background and a very light, transparent but darkening graining coat. The two colors are compatibly selected to provide a natural look of any selected wood type, e.g., oak, maple, ash, maple, hickory, cherry, walnut, pine, and the like.

Thus, the context is provided to the claims by the amendments and the language there is fully supported and explained in the original description.

Next under the §112, second paragraph rejection, claim 1 now clarifies the relation between the “grain and coloration of a selected wood type” and “a wood grain and coloration”.

A Terminal Disclaimer is submitted to overcome the double patenting rejection.

It is believed that all requirements have been met to permit granting of a patent on the present record. It is noted that all of the amendments made are fully supported by the original disclosure as noted and were not possible previously because they are responsive to new points of rejection. Accordingly, entry is believed in order. If any points need addressing prior to grant, the examiner is invited to call the undersigned to expedite prosecution.

Applicants have made a significant contribution to the art of finishing doors and other objects to achieve a natural wood coloration with natural appearing graining. The claims set forth the invention clearly and concisely in terms which distinguish from the prior art. With entry of the above amendments no further rejections or objections should remain. Accordingly, allowance of all claims is believed in order and such action is earnestly solicited.

Respectfully submitted,



Thaddius J. Carvis
Attorney for Applicant
Registration No. 26,110

102 North King Street
Leesburg, Virginia 20176
Tel (703) 737-7817